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**REVOCATION OF POWER OF
ATTORNEY WITH
NEW POWER OF ATTORNEY
AND
CHANGE OF CORRESPONDENCE
ADDRESS**

Application Number	10/821,728
Filing Date	APRIL 8, 2004
First Named Inventor	GRAHAM, ET AL
Art Unit	1638
Examiner Name	TRACY A. VIVEMORE
Attorney Docket Number	BEN/0022.C3

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I hereby revoke all previous powers of attorney or authorizations of agent given in the above-identified application:			
<input type="checkbox"/> A Power of Attorney is submitted herewith. OR <input checked="" type="checkbox"/> I hereby appoint the practitioners at Customer Number: 26290			
<input checked="" type="checkbox"/> Please change the correspondence address for the above-identified application to: <input checked="" type="checkbox"/> The address associated with Customer Number: 26290 OR <input type="checkbox"/> Firm or Individual Name Address City State ZIP Country			
I am the:			
<input type="checkbox"/> Applicant/Inventor. <input checked="" type="checkbox"/> Assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/98)			
SIGNATURE of Applicant or Assignee of Record			
Signature			
Name	Sarah J. Brashears		
Date	22 Dec 2005	Telephone	850-564-9850 ext. 1105
Signature			
Name	Jack Steele	Telephone	011-812-8490-8260-5636
Date	21 December 2005	Telephone	011-812-8490-8260-5636
NOTE: Signatures of all the inventors or assignees of record of this entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required. See below.			
<input checked="" type="checkbox"/> Total of 2 forms are submitted.			

This collection of information is required by 37 CFR 1.38. The information is required to obtain or retain a benefit by the public which is to be used by the USPTO to process an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on this aspect of time you require to complete this form and/or suggestions for reducing this burden, should be sent to our Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. BMD, TO: Communications for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. If you need assistance in completing this form, call 1-800-PTO-9198 and select option 3.

Revocation of Power of Attorney SB-821.DOC

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STATEMENT UNDER 37 CFR 3.73(b)

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JAN 03 2006

Applicant/Patent Owner: Michael W. Graham, et al.

Application No./Patent No.: 10/821,738

Filed/Issue Date: April 8, 2004

Entitled: Synthetic Genes and Genetic Constructs

Commonwealth Scientific and Industrial Research Organization, a Government Agency and

Bentley Australia Limited, an Australian Corporation.

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, individually, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title, and interest

The extent (by percentage) of its ownership interest is 5%

In the patent application/patent identified above by virtue of either:

- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel , Frame , or for which a copy thereof is attached.

OR

- B. ☒ A chain of title from the inventor(s) of the patent application/patent identified above, to the current assignee as shown below:

1. From: Michael W. Graham and Robert N. Rice To: Bentley Australia Limited and State of Queensland through its Department of Primary Industries

The document was recorded in the United States Patent and Trademark Office at Reel , Frame , or for which a copy thereof is attached.

2. From: State of Queensland through its Department of Primary Industries To: Commonwealth Scientific and Industrial Research Organization

The document was recorded in the United States Patent and Trademark Office at Reel , Frame , or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.

(NOTE: A separate copy (i.e., a true copy of the original document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08)

The undersigned (whose file is supplied below) is authorized to act on behalf of the assignee.

Signature: [Signature]

Signature: [Signature]

Vice President, IPR
Title

Chief of Staff
Title

Sarah J. Brashers
Printed or Typed Name

Jack Steele
Printed or Typed Name

Date

Date

650-564-8850 ext. 1105
Telephone Number

011-812-9490-5088
Telephone Number

The collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to the (and by the USPTO or process) an application. Confidentiality is provided by 35 U.S.C. 422 and 37 CFR 1.14 and 1.14. This collection is expected to take 15 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the nature or time you require to complete this form under suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1480, Alexandria, VA 22304-1480. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1480, Alexandria, VA 22304-1480.

If you need assistance in completing this form, call 1-800-PTO-0100 and select option 2.

Statement Under 37 CFR 3.73(b), SB-961.DOC

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Attorney Docket No.: 54632200300

**ASSIGNMENT
JOINT**

THIS ASSIGNMENT, by MICHAEL WAYNE GRAHAM and ROBERT NORMAN RICE (hereinafter referred to as the assignors), residing at 12 Lant Street, Chapel Hill, Queensland, Australia 4069, and 39 Foley Place, Sinnamon Park, Queensland, Australia 4106, respectively, witnesseth:

WHEREAS, said assignors have invented certain new and useful improvements in **GENETIC CONSTRUCTS FOR DELAYING OR REPRESSING THE EXPRESSION OF A TARGET GENE**, set forth Letters Patent of the United States, bearing Patent No. 6,573,099, and issued on June 3, 2003; and

WHEREAS, BENITEC AUSTRALIA LIMITED, a corporation duly organized under and pursuant to the laws of Australia and having its principal place of business at P.O. Box 4193, St. Lucia South, QLD 4067 Australia, and the STATE OF QUEENSLAND THROUGH ITS DEPARTMENT OF PRIMARY INDUSTRIES, and having its principle place of business at Primary Industries Bldg., 80 Ann Street, Brisbane Queensland 4000 Australia (hereinafter referred to as the Assignees) is desirous of acquiring the entire right, title and interest in and to said inventions and said application for Letters Patent of the United States, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon:

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and sufficient consideration, the receipt of which is hereby acknowledged, said assignors have sold, assigned, transferred and set over, and by these presents do sell, assign, transfer and set over, unto said Assignees, its successors, legal representatives and assigns, the entire right, title and interest in and to the above-mentioned inventions, application for Letters Patent, and any and all Letters Patent or Patents in the United States of America and all foreign countries which may be granted therefor and thereon, and in and to any and all divisions, continuations and continuations-in-part of said application, or reissues or extensions of said Letters Patent or Patents, and all rights under the International Convention for the Protection of Industrial Property, the same to be held and enjoyed by said Assignees, for its own use and the use of its successors, legal representatives and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted, as fully and entirely as the same would have been held and enjoyed by the assignors, had this sale and assignment not been made.

AND for the same consideration, said assignors hereby covenant and agree to and with said Assignees its successors, legal representatives and assigns, that, at the time of execution and delivery of these presents, said assignors are the sole and lawful owners of the entire right, title and interest in and to said inventions and the application for Letters Patent above-mentioned, and that the same are unencumbered and that said assignors have good and full right and lawful authority to sell and convey the same in the manner herein set forth.

AND for the same consideration, said assignors hereby covenant and agree to and with said Assignees, its successors, legal representatives and assigns, that said assignors will, whenever counsel of said Assignees, or the counsel of its successors, legal representatives and assigns, shall advise that any proceeding in connection with said inventions, or said application for Letters Patent, or any proceeding in connection with Letters Patent for said inventions in any country, including interference proceedings, is lawful and desirable, or that any division, continuation or continuation-in-part of any application for Letters Patent or any reissue or extension of any Letters Patent, to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of Letters Patent for said inventions, without charge to said Assignees, its successors, legal representatives and assigns, but at the cost and expense of said Assignees, its successors, legal representatives and assigns.

AND said assignors hereby request the Commissioner of Patents to issue said Letters Patent of the United States to said Assignees as the Assignees of said inventions and the Letters Patent to be issued thereon for the sole use of said Assignees, its successors, legal representatives and assigns.

30/6/03
Date


Michael Wayne GRAHAM

17/6/03
Date


Robert Norman RICE

sf-1503124

BLAKE DAWSON WALDRON
P A T E N T S E R V I C E S

Deed of Assignment

State of Queensland
through its Department of Primary Industries

Commonwealth Scientific and Industrial Research Organisation

Blake Dawson Waldron Patent Services
Level 39, 101 Collins Street
Melbourne VIC 3000
Telephone: + 61 3 9679 3065
Fax: + 61 3 9679 3111

Ref: WJP IP CLN 1303 9625

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ASSIGNMENT OF APPLICATIONS AND PATENTS

DATE 8 December 2003

PARTIES

State of Queensland through its Department of Primary Industries, of Primary Industries Building, 80 Ann Street, Queensland (Assignor)

Commonwealth Scientific and Industrial Research Organisation a body corporate established by the Commonwealth Science and Research Act 1949 and having its principal office at Limestone Avenue, Campbell in the Australian Capital Territory (Assignee)

RECITALS

The Assignor assigns all of its rights and interests in the Applications and Patents set out in the attached Schedule to the Assignee, on the terms set out in this Deed of Assignment.

OPERATIVE PROVISIONS

1. DEFINITIONS

The following definitions apply in this document.

Applications means the patent applications described in the Schedule and any divisional applications from any of them and any amendments, continuations or continuations-in-part of any of them.

Benitec Australia Limited, ACN 080 299 645, of Suite 4, 242 Hawken Drive, St Lucia, Queensland (Benitec Australia)

Patents means the registered patents described in the Schedule and any divisional applications from any of them and any amendments, extensions, re-issues, or re-grants of any of them.

2. ASSIGNMENT

In consideration of the sum of \$1 and other good and valuable consideration now paid by the Assignee to the Assignor, receipt of which the Assignor acknowledges, the Assignor, as beneficial owner, assigns to the Assignee all its rights and interests in:

- (a) the Applications; and
- (b) the Patents.

3. REGISTRATION

The Assignor undertakes at the expense of the Assignee to do all acts and execute all documents necessary to ensure that the Applications and the Patents will issue jointly in the names of Benitec Australia Limited and the Assignee. In the event of default by the Assignor to perform such acts or execute necessary documents, but only after the Assignor has been given a proper and reasonable opportunity to perform the acts or

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execute the documents, the Assignor appoint the nominee of the Assignee as the Assignor's attorney for that purpose.

4. GOVERNING LAW

This Deed is governed by the law of New South Wales. The parties submit to the non-exclusive jurisdiction of courts exercising jurisdiction there.

EXECUTED as a deed this 8th day of December 2003

EXECUTED for and on behalf of the
DEPARTMENT OF PRIMARY
INDUSTRIES on behalf of the State of
Queensland by:

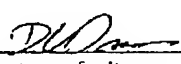
Signature


PETER L. JONES

Name and position

Director Biochemistry
DPI


Signature of witness


Debra Davis

Name of witness

EXECUTED for and on behalf of the
COMMONWEALTH SCIENTIFIC AND
INDUSTRIAL RESEARCH
ORGANISATION by:

Signature


M. BAGHAI, Exec Director
Name and position

BDC

Signature of witness

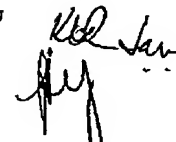

J. STEENE
Name of witness


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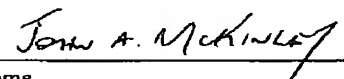
AGREEMENT TO ASSIGNMENT

Benitec Australia Limited, ACN 080 299 645, of Suite 4, 242 Hawken Drive, St Lucia, Queensland hereby acknowledges its agreement to the assignment set out above.


SIGNED, SEALED AND DELIVERED for and on behalf of 
~~THE COMMON SEAL~~ of BENITEC
AUSTRALIA LIMITED, the fixing of
which was witnessed by:



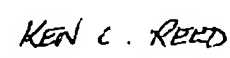
Signature of director



Name



Signature of director/secretary



Name

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5.

SCHEDULE
APPLICATIONS AND PATENTS

Granted Patents

Graham, M.W. and Rice, R.N. (2001) Control of gene expression. ZA 2000/4507.
Graham, M.W. and Rice, R.N. (2002) Control of gene expression. AU 2001100608.
Graham, M.W. and Rice, R.N. (2002) Control of gene expression. SG 75542.
Graham, M.W. and Rice, R.N. (2003) Genetic constructs for delaying or repressing the expression of a target gene. US 6,573,099.
Graham, M.W. and Rice, R.N. (2003) Control of gene expression. GB 2353282.

Accepted Patents

Graham, M.W. and Rice, R.N. (2001) Control of gene expression. AU 743316.
Graham, M.W. and Rice, R.N. (2003) Control of gene expression. NZ 506648.

Patent Applications

Graham, M. W. and Rice, R.N. (US 09/997/905) Synthetic Genes and genetic constructs comprising same I.
Graham, M.W. and Rice, R.N. (US 10/346,853) Synthetic genes and genetic constructs comprising same I.
Graham, M.W. and Rice, R.N. (WO 99/49029 (PCT/AU/99/00195)) Control of gene expression.
Graham, M.W. and Rice, R.N. (BR PI9908967-0) Control of gene expression.
Graham, M.W. and Rice, R.N. (CA 2,323,726) Control of gene expression.
Graham, M.W. and Rice, R.N. (CN 99804255-2) Control of gene expression.
Graham, M.W. and Rice, R.N. (CZ PV2000-3346) Control of gene expression.
Graham, M.W. and Rice, R.N. (EP 99910039.9) Control of gene expression.
Graham, M.W. and Rice, R.N. (HK 01105904.3) Control of gene expression.
Graham, M.W. and Rice, R.N. (HU PO101225) Control of gene expression.
Graham, M.W. and Rice, R.N. (IN 2000/00169/DEL) Control of gene expression.
Graham, M.W. and Rice, R.N. (JP P2000-537990) Control of gene expression.

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Graham, M.W. and Rice, R.N. (KR 7010419/2000) Control of gene expression.

Graham, M.W. and Rice, R.N. (MX 008631) Control of gene expression.

Graham, M.W. and Rice, R.N. (PL P.343064) Control of gene expression.

Graham, M.W. and Rice, R.N. (SK PV1372-2000) Control of gene expression.

Graham, M.W. and Rice, R.N. (AU 95225/01) Control of gene expression.

Graham, M.W. and Rice, R.N. (AU 35647/02) Control of gene expression.

Graham, M.W. and Rice, R.N. (NZ 525941) Control of gene expression.

Graham, M.W. and Rice, R.N. (SG 200205122-5) Control of gene expression.

Graham, M.W. and Rice, R.N. (US 09/646,807) Control of gene expression.

Priority Documents

Graham, M.W. (1998) Synthetic genes and genetic constructs comprising same I. AU PP2492/98.

Graham, M.W. and Rice, R.N. (1998) Gene expression I. AU PP2499/98.

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